

### REMARKS

Claims 1-28, 55-57, and 64-70 are pending, with claims 1, 15, and 55 being independent. Claims 29-54 and 58-63 were cancelled in a previous amendment without prejudice or waiver due to a restriction requirement as being drawn to a non-elected invention.

Claims 1-28, 55-57, and 64-70 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Blumenau (U.S. 6,108,637) in view of Guyot et al. (U.S. 6,119,098). Applicants respectfully traverse the rejection.

Claims 1 and 15 recite a method (claim 1) and a computer program (claim 15) of presenting advertising to viewers in a computer program network environment that includes, among other features, monitoring a viewer's interactions with an associated computer system, determining an amount of time to be used in later displaying advertisements on the viewer's associated computer system based on the viewer's monitored interactions, and adjusting a timing of later displayed advertisements on the viewer's associated computer system based on the determined amount of time. Claim 55 recites a method of optimizing a click-through rate of a user viewing content in a computer network environment that includes, among other features, downloading advertisements and a set of tuning parameters to a user's computer. The set of tuning parameters are configured to cause a display of a first advertisement on the user's computer to be changed to a display of another advertisement on the user's computer by determining an amount of time to be used in the later displayed advertisement based on a user's activity with respect to the user's computer. Click-through information for the advertisements is stored and is sent to a host computer.

Applicants respectfully requests reconsideration and withdrawal of the rejection because Blumenau and Guyot, either alone or in combination, fail to describe or suggest determining an amount of time to be used in later displaying advertisements based on the viewer's monitored interactions and adjusting a timing of later displayed advertisements based on the determined amount of time, as recited in claims 1, 15, and 55.

Blumenau describes monitoring the display of content by a computer system by monitoring the position of the content display on a display screen including monitoring the position of images on the display screen and comparing the position of the images in relation to other content. Blumenau also describes determining the duration of the display of the content and determining the number of times that an on-screen pointer entered an area defined by the content, which is used to determine how attentive an observer was to the content. See Blumenau, col. 7, lines 4-30.

Blumenau does not use monitored observer interactions to determine an amount of time to be used in later displaying advertisements, as recited in independent claims 1, 15, and 55. Blumenau nowhere describes or suggests determining an amount of time to be used in later displaying advertisements. Moreover, Blumenau uses the determinations of the duration of the display of the content and the number of times that an on-screen pointer entered the content area to determine the attentiveness of the content observer. Thus, Blumenau describes using monitored user interactions to determine the attentiveness of the user, which is much different than using monitored user interactions to determine an amount of time to be used in later displaying advertisements.

Furthermore, as acknowledged in the Office Action, Blumenau does not describe or suggest adjusting a timing of later displayed advertisements based on the determined amount of time. See Office Action, page 3, para. 10.

Guyot does not remedy the failure of Blumenau to describe or suggest these features. Instead, Guyot describes monitoring keyboard and mouse activity on the subscriber's computer to use the information to schedule when to display advertisements on the subscriber's computer. See Guyot, col. 2, lines 8-14. However, Guyot does not monitor user interactions and determine an amount of time to be used in later displaying advertisements based on the monitored user interactions. Moreover, since Guyot does not determine an amount of time to be used in later displaying advertisements, Guyot necessarily does not describe or suggest adjusting a timing of later displayed advertisements based on the determined amount of time.

Applicant : Harry Morris et al.  
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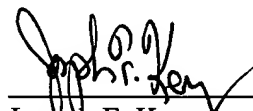
Attorney's Docket No.: 06975-058001 / Ad Serving 01

For at least these reasons, Applicants respectfully request reconsideration and withdrawal of the § 103(a) rejection of independent claims 1, 15, and 55, and their respective dependent claims.

No fees are believed to be due. However, during the pendency of this application, please apply any deficiencies or credits to deposit account 06-1050.

Respectfully submitted,

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